

5 Attorneys for Defendant Johnson Mai

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES,
12 Plaintiff
13 v.
14 JOHNSON MAI,
15 a/k/a Zhi Xiong Mai
16 a/k/a Uncle Hong,
17 a/k/a Chi Hong Mak,
18 a/k/a Hong Suk;
19 LISA LEE,
20 a/k/a Xiao Ling Li;
21 KAI LUN ZHENG,
22 a/k/a Wai Keung Cheung,
23 a/k/a Su Ming,
24 a/k/a Alan Zheng;
ZHI EN HUANG,
a/k/a Gao Lo;
DAVID YUEN,
a/k/a Lo Wu,
a/k/a Wu So Gor; and
ERIC YU HENG CAI
Defendants.
No: 3-06-70479 MAG
[PROPOSED] ORDER AND STIPULATION
FOR CONTINUANCE FROM NOVEMBER
2, 2007 TO DECEMBER 11, 2007 AND
EXCLUDING TIME FROM THE SPEEDY
TRIAL ACT CALCULATION (18 U.S.C. §
3161(h)(8)(A) AND WAIVING TIME
LIMITS UNDER RULE 5.1

27 With the agreement of the parties, and with the consent of the defendants, the Court enters this
28 order scheduling a status conference on December 11, 2007 at 9:30 a.m. before the duty magistrate

1 judge and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of
2 Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(8)(B)(ii) and (iv), from November 2, 2007 to and through December 11, 2007. The parties
4 agree, and the Court finds and holds, as follows:

- 5 1. The case is very complex and involves international transactions and shipments, foreign
6 banks and complex monetary transactions, extensive wiretap evidence and conversations
7 in different Chinese language dialects. There are multiple defendants and discovery is
8 voluminous. All defense counsel involved are in need of additional time to prepare the
9 case. Furthermore, the government and defense counsel are actively involved in the
10 process of global settlement discussions to resolve all pending charges and forfeiture
11 claims involving some\all defendants before the court and additional time is necessary
12 to seek approval of proposed plea and forfeiture agreements with the government.
- 13 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
14 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective
15 preparation taking into account the exercise of due diligence.
- 16 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
17 preliminary hearing.
- 18 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
19 preliminary hearing before the duty magistrate judge on December 11, 2007 at 9:30 a.m.
20 and (2) orders that the period from November 2, 2007 to December 11, 2007 be
21 excluded from the time period for preliminary hearings under Federal Rule of Criminal
22 Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(b).

23 IT IS SO STIPULATED:

24 DATED: October 30, 2007

/s/ Garrick Lew
GARRICK LEW
Attorney for Defendant Johnson Mai

26 DATED: October 30, 2007

/s/ Gil Eisenberg
GIL EISENBERG
Attorney for Defendant Kai Lun Zheng

1 DATED: October 30, 2007 /s/ Brian Getz
2 BRIAN GETZ
Attorney for Zhi En Huang

3 DATED: October 30, 2007 /s/ Stuart Hanlon
4 STUART HANLON
Attorney for David Yuen

5 DATED: October 30, 2007 /s/ Randy Montesano
6 RANDY MONTESANO
Attorney for Eric Cai

7 DATED: October 30, 2007 /s/ Thomas Mazzucco
8 THOMAS MAZZUCCO
Assistant United States Attorney

10 IT IS SO ORDERED.

11 DATED: HONORABLE EDWARD CHEN
12 United States Magistrate Judge

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28 Stipulation and Proposed Order for Continuance
[3-06-70479] [MAG]